

1 BARBARA J. PARKER, City Attorney, SBN 069722
JAMES HODGKINS, Supervising Deputy Attorney, SBN142561
2 ARLENE M. ROSEN, Deputy City Attorney, SBN 100160
One Frank H. Ogawa Plaza, 6th Floor
3 Oakland, California 94612
Telephone: (510) 238-6392, Fax: (510) 238-6500
4 28414:136893

5 Attorneys for Defendant,
CITY OF OAKLAND
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10

11 DONNA WHITE,

12 Plaintiff,

13 vs.

14 CITY OF OAKLAND, and DOES 1 to 100,
15 inclusive,

16 Defendants.

Case No. C11-03846 NC

**NOTICE OF CONDITIONAL
SETTLEMENT AND REQUEST FOR
ORDER VACATING LITIGATION
DATES AND ORDER THEREON**

17 Plaintiff DONNA WHITE and defendant CITY OF OAKLAND ("City"), by and through
18 their respective counsel, hereby notify the Court that at mediation on May 1, 2014, they reached a
19 conditional settlement agreement respecting all of plaintiff's claims for injunctive relief and
20 damages. Subject to approval by the Oakland City Council, the City has agreed to remediate
21 barriers to access at the Woodminster Ampitheatre within a specific time frame and to disburse
22 payment of plaintiff's damages claim within ninety (90) days of Council approval. The City
23 Attorney will make every effort to present the request for City Council approval at the Council's
24 closed session on June 3, 2014.
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26

1 With respect to plaintiff's remaining claim for attorney's fees and costs, the parties have
 2 agreed to meet and confer and, if necessary, return to mediation to resolve that issue as
 3 expeditiously as possible. The parties are working to schedule a mediation date for mid-June.
 4

5 Assuming the City Council approves the settlement on or about June 3rd, no triable issues
 6 remain in the case. The parties respectfully request this Court vacate the pending briefing and
 7 litigation dates, including the trial presently set for June 2, 2014. Upon resolution of the claim for
 8 fees and costs and approval of the entire settlement by the Oakland City Council, the parties will
 9 file a stipulation for dismissal.

10 Dated: May 2, 2014

11 OFFICE OF THE CITY ATTORNEY OF OAKLAND

12 By: /s/
 13 ARLENE M. ROSEN
 Attorneys for Defendant
 CITY OF OAKLAND

14 Dated: May 2, 2014

15 LAW OFFICES OF PAUL L. REIN
 16 By /s/
 17 CELIA McGUINNESS
 Attorneys for Plaintiff

18
 19 **ORDER VACATING LITIGATION DATES**

20 Good cause appearing therefor, IT IS HEREBY ORDERED that all pending dates, including
 21 trial of this matter set for June 2, 2014, be and hereby are VACATED. Case management conference
 22 DATED: May 2, 2014 is scheduled for July 2, 2014 at 10:00 a.m.

